



General Assembly

**Amendment**

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LCO No. 6588

\*HB0590606588HDO\*

Offered by:

REP. VILLANO, 91<sup>st</sup> Dist.

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To: House Bill No. 5906

File No. 351

Cal. No. 217

**"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE HUMAN SERVICES STATUTES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 17b-276 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2008*):

5 (a) The Commissioner of Social Services shall identify geographic  
6 areas of the state where competitive bidding for nonemergency  
7 transportation services provided to medical assistance recipients to  
8 access covered medical services would result in cost savings to the  
9 state. For the identified areas, the Commissioner of Social Services, in  
10 consultation with the Commissioner of Transportation, the  
11 Commissioner of Public Health and the Secretary of the Office of  
12 Policy and Management, shall purchase such nonemergency

13 transportation services through a competitive bidding process. Any  
14 transportation providers awarded a contract or subcontract for the  
15 direct provision of such services shall meet state licensure or  
16 certification requirements and the nonemergency transportation  
17 requirements established by the Department of Social Services, and  
18 shall provide the most cost effective transportation service, provided  
19 any contractor awarded a contract solely for coordinating such  
20 transportation services shall not be required to meet such licensure or  
21 certification requirements and provided the first such contracts for the  
22 purchase of such services shall not exceed one year. Prior to awarding  
23 a contract pursuant to this section, the Commissioner of Social Services  
24 shall consider the effect of the contract on the emergency ambulance  
25 primary service areas and volunteer ambulance services affected by  
26 the contract. The commissioner may limit the geographic areas to be  
27 served by a contractor and may limit the amount of services to be  
28 performed by a contractor. The commissioner may operate one or  
29 more pilot programs prior to state-wide operation of a competitive  
30 bidding program for nonemergency transportation services. By  
31 enrolling in the Medicaid program or participating in the  
32 competitively bid contract for nonemergency transportation services,  
33 providers of nonemergency transportation services agree to offer to  
34 recipients of medical assistance all types or levels of transportation  
35 services for which they are licensed or certified. Effective October 1,  
36 1991, payment for such services shall be made only for services  
37 provided to an eligible recipient who is actually transported. A  
38 contract entered into pursuant to this section may include services  
39 provided by another state agency. Notwithstanding any provision of  
40 the general statutes, a contract entered into pursuant to this section  
41 shall establish the rates to be paid for the transportation services  
42 provided under the contract. A contract entered into pursuant to this  
43 section may include services provided by another state agency and  
44 shall supersede any conflicting provisions of the regulations of  
45 Connecticut state agencies pertaining to medical transportation  
46 services. Any contractor awarded a contract solely for coordinating  
47 nonemergency transportation services for medical assistance

48 recipients, who also coordinates transportation services for  
49 nonmedical assistance recipients, shall disclose to any transportation  
50 provider with whom it subcontracts to provide nonemergency  
51 transportation services under this section the source of payment at the  
52 time the service is requested.

53 (b) Notwithstanding any other provision of the general statutes, for  
54 purposes of administering medical assistance programs, including, but  
55 not limited to, the state-administered general assistance program and  
56 programs administered pursuant to Title XIX or Title XXI of the Social  
57 Security Act, the Department of Social Services shall be the sole state  
58 agency that sets emergency and nonemergency medical transportation  
59 fees or fee schedules for any transportation services that are  
60 reimbursed by the department for said medical assistance programs.

61 Sec. 502. Section 17b-733 of the 2008 supplement to the general  
62 statutes is repealed and the following is substituted in lieu thereof  
63 (*Effective July 1, 2008*):

64 The Department of Social Services shall be the lead agency for child  
65 day care services in Connecticut. The department shall: (1) Identify,  
66 annually, existing child day care services and maintain an inventory of  
67 all available services; (2) provide technical assistance to corporations  
68 and private agencies in the development and expansion of child day  
69 care services for families at all income levels, including families of their  
70 employees and clients; (3) study and identify funding sources available  
71 for child day care including federal funds and tax benefits; (4) study  
72 the cost and availability of liability insurance for child day care  
73 providers; (5) provide, in conjunction with the Departments of  
74 Education and Higher Education, ongoing training for child day care  
75 providers including preparing videotaped workshops and distributing  
76 them to cable stations for broadcast on public access stations, and seek  
77 private donations to fund such training; (6) encourage child day care  
78 services to obtain accreditation; (7) develop a range of financing  
79 options for child care services, including the use of a tax-exempt bond  
80 program, a loan guarantee program and establishing a direct revolving

81 loan program; (8) promote the colocation of child day care and school  
82 readiness programs pursuant to section 4b-31; (9) establish a  
83 performance-based evaluation system; (10) develop for  
84 recommendation to the Governor and the General Assembly measures  
85 to provide incentives for the private sector to develop and support  
86 expanded child day care services; (11) provide, within available funds  
87 and in conjunction with the temporary family assistance program as  
88 defined in section 17b-680, child day care to public assistance  
89 recipients; (12) develop and implement, with the assistance of the  
90 Child Day Care Council and the Departments of Public Health, Social  
91 Services, Education, Higher Education, Children and Families,  
92 Economic and Community Development, Developmental Services and  
93 Consumer Protection, a state-wide coordinated child day care and  
94 early childhood education training system (A) for child day care  
95 centers, group day care homes and family day care homes that provide  
96 child day care services, and (B) that makes available to such providers  
97 and their staff, within available appropriations, scholarship assistance,  
98 career counseling and training, workforce registry, advancement in  
99 career ladders, as defined in section 4-124bb, through seamless  
100 articulation of levels of training, program accreditation support and  
101 other initiatives recommended by the Departments of Social Services,  
102 Education and Higher Education; (13) plan and implement a unit cost  
103 reimbursement system for state-funded child day care services such  
104 that, on and after January 1, 2008, any increase in reimbursement shall  
105 be based on a requirement that such centers meet the staff  
106 qualifications, as defined in subsection (b) of section 10-16p of the 2008  
107 supplement to the general statutes; (14) develop, within available  
108 funds, initiatives to increase compensation paid to child day care  
109 providers for educational opportunities, including, but not limited to,  
110 (A) incentives for educational advancement paid to persons employed  
111 by child day care centers receiving state or federal funds, and (B)  
112 support for the establishment and implementation by the Labor  
113 Commissioner of apprenticeship programs for child day care workers  
114 pursuant to sections 31-22m to 31-22q, inclusive, which programs shall  
115 be jointly administered by labor and management trustees; (15)

116 evaluate the effectiveness of any initiatives developed pursuant to  
117 subdivision (14) of this section in improving staff retention rates and  
118 the quality of education and care provided to children; and (16) report  
119 annually to the Governor and the General Assembly on the status of  
120 child day care in Connecticut. Such report shall include (A) an  
121 itemization of the allocation of state and federal funds for child care  
122 programs; (B) the number of children served under each program so  
123 funded; (C) the number and type of such programs, providers and  
124 support personnel; (D) state activities to encourage partnership  
125 between the public and private sectors; (E) average payments issued  
126 by the state for both part-time and full-time child care; (F) range of  
127 family income and percentages served within each range by such  
128 programs; and (G) age range of children served.

129       Sec. 503. (*Effective from passage*) The Departments of Social Services  
130 and Mental Health and Addiction Services, within available  
131 appropriations, shall study the feasibility of converting to a per diem  
132 system of payment for inpatient psychiatric services in general  
133 hospitals. Such study shall include the impact of the potential relief to  
134 the overcrowding of emergency rooms. Not later than January 15,  
135 2009, said departments shall submit such study, in accordance with  
136 section 11-4a of the general statutes, to the joint standing committees of  
137 the General Assembly having cognizance of matters relating to  
138 appropriations and the budgets of state agencies, human services and  
139 public health.

140       Sec. 504. Subdivision (4) of subsection (f) of section 17b-340 of the  
141 2008 supplement to the general statutes is repealed and the following  
142 is substituted in lieu thereof (*Effective July 1, 2008*):

143       (4) For the fiscal year ending June 30, 1992, (A) no facility shall  
144 receive a rate that is less than the rate it received for the rate year  
145 ending June 30, 1991; (B) no facility whose rate, if determined pursuant  
146 to this subsection, would exceed one hundred twenty per cent of the  
147 state-wide median rate, as determined pursuant to this subsection,  
148 shall receive a rate which is five and one-half per cent more than the

149 rate it received for the rate year ending June 30, 1991; and (C) no  
150 facility whose rate, if determined pursuant to this subsection, would be  
151 less than one hundred twenty per cent of the state-wide median rate,  
152 as determined pursuant to this subsection, shall receive a rate which is  
153 six and one-half per cent more than the rate it received for the rate year  
154 ending June 30, 1991. For the fiscal year ending June 30, 1993, no  
155 facility shall receive a rate that is less than the rate it received for the  
156 rate year ending June 30, 1992, or six per cent more than the rate it  
157 received for the rate year ending June 30, 1992. For the fiscal year  
158 ending June 30, 1994, no facility shall receive a rate that is less than the  
159 rate it received for the rate year ending June 30, 1993, or six per cent  
160 more than the rate it received for the rate year ending June 30, 1993.  
161 For the fiscal year ending June 30, 1995, no facility shall receive a rate  
162 that is more than five per cent less than the rate it received for the rate  
163 year ending June 30, 1994, or six per cent more than the rate it received  
164 for the rate year ending June 30, 1994. For the fiscal years ending June  
165 30, 1996, and June 30, 1997, no facility shall receive a rate that is more  
166 than three per cent more than the rate it received for the prior rate  
167 year. For the fiscal year ending June 30, 1998, a facility shall receive a  
168 rate increase that is not more than two per cent more than the rate that  
169 the facility received in the prior year. For the fiscal year ending June  
170 30, 1999, a facility shall receive a rate increase that is not more than  
171 three per cent more than the rate that the facility received in the prior  
172 year and that is not less than one per cent more than the rate that the  
173 facility received in the prior year, exclusive of rate increases associated  
174 with a wage, benefit and staffing enhancement rate adjustment added  
175 for the period from April 1, 1999, to June 30, 1999, inclusive. For the  
176 fiscal year ending June 30, 2000, each facility, except a facility with an  
177 interim rate or replaced interim rate for the fiscal year ending June 30,  
178 1999, and a facility having a certificate of need or other agreement  
179 specifying rate adjustments for the fiscal year ending June 30, 2000,  
180 shall receive a rate increase equal to one per cent applied to the rate the  
181 facility received for the fiscal year ending June 30, 1999, exclusive of  
182 the facility's wage, benefit and staffing enhancement rate adjustment.  
183 For the fiscal year ending June 30, 2000, no facility with an interim rate,

184 replaced interim rate or scheduled rate adjustment specified in a  
185 certificate of need or other agreement for the fiscal year ending June  
186 30, 2000, shall receive a rate increase that is more than one per cent  
187 more than the rate the facility received in the fiscal year ending June  
188 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a  
189 facility with an interim rate or replaced interim rate for the fiscal year  
190 ending June 30, 2000, and a facility having a certificate of need or other  
191 agreement specifying rate adjustments for the fiscal year ending June  
192 30, 2001, shall receive a rate increase equal to two per cent applied to  
193 the rate the facility received for the fiscal year ending June 30, 2000,  
194 subject to verification of wage enhancement adjustments pursuant to  
195 subdivision (15) of this subsection. For the fiscal year ending June 30,  
196 2001, no facility with an interim rate, replaced interim rate or  
197 scheduled rate adjustment specified in a certificate of need or other  
198 agreement for the fiscal year ending June 30, 2001, shall receive a rate  
199 increase that is more than two per cent more than the rate the facility  
200 received for the fiscal year ending June 30, 2000. For the fiscal year  
201 ending June 30, 2002, each facility shall receive a rate that is two and  
202 one-half per cent more than the rate the facility received in the prior  
203 fiscal year. For the fiscal year ending June 30, 2003, each facility shall  
204 receive a rate that is two per cent more than the rate the facility  
205 received in the prior fiscal year, except that such increase shall be  
206 effective January 1, 2003, and such facility rate in effect for the fiscal  
207 year ending June 30, 2002, shall be paid for services provided until  
208 December 31, 2002, except any facility that would have been issued a  
209 lower rate effective July 1, 2002, than for the fiscal year ending June 30,  
210 2002, due to interim rate status or agreement with the department shall  
211 be issued such lower rate effective July 1, 2002, and have such rate  
212 increased two per cent effective June 1, 2003. For the fiscal year ending  
213 June 30, 2004, rates in effect for the period ending June 30, 2003, shall  
214 remain in effect, except any facility that would have been issued a  
215 lower rate effective July 1, 2003, than for the fiscal year ending June 30,  
216 2003, due to interim rate status or agreement with the department shall  
217 be issued such lower rate effective July 1, 2003. For the fiscal year  
218 ending June 30, 2005, rates in effect for the period ending June 30, 2004,

219 shall remain in effect until December 31, 2004, except any facility that  
220 would have been issued a lower rate effective July 1, 2004, than for the  
221 fiscal year ending June 30, 2004, due to interim rate status or  
222 agreement with the department shall be issued such lower rate  
223 effective July 1, 2004. Effective January 1, 2005, each facility shall  
224 receive a rate that is one per cent greater than the rate in effect  
225 December 31, 2004. Effective upon receipt of all the necessary federal  
226 approvals to secure federal financial participation matching funds  
227 associated with the rate increase provided in this subdivision, but in  
228 no event earlier than July 1, 2005, and provided the user fee imposed  
229 under section 17b-320 is required to be collected, for the fiscal year  
230 ending June 30, 2006, the department shall compute the rate for each  
231 facility based upon its 2003 cost report filing or a subsequent cost year  
232 filing for facilities having an interim rate for the period ending June 30,  
233 2005, as provided under section 17-311-55 of the regulations of  
234 Connecticut state agencies. For each facility not having an interim rate  
235 for the period ending June 30, 2005, the rate for the period ending June  
236 30, 2006, shall be determined beginning with the higher of the  
237 computed rate based upon its 2003 cost report filing or the rate in  
238 effect for the period ending June 30, 2005. Such rate shall then be  
239 increased by eleven dollars and eighty cents per day except that in no  
240 event shall the rate for the period ending June 30, 2006, be thirty-two  
241 dollars more than the rate in effect for the period ending June 30, 2005,  
242 and for any facility with a rate below one hundred ninety-five dollars  
243 per day for the period ending June 30, 2005, such rate for the period  
244 ending June 30, 2006, shall not be greater than two hundred seventeen  
245 dollars and forty-three cents per day and for any facility with a rate  
246 equal to or greater than one hundred ninety-five dollars per day for  
247 the period ending June 30, 2005, such rate for the period ending June  
248 30, 2006, shall not exceed the rate in effect for the period ending June  
249 30, 2005, increased by eleven and one-half per cent. For each facility  
250 with an interim rate for the period ending June 30, 2005, the interim  
251 replacement rate for the period ending June 30, 2006, shall not exceed  
252 the rate in effect for the period ending June 30, 2005, increased by  
253 eleven dollars and eighty cents per day plus the per day cost of the

254 user fee payments made pursuant to section 17b-320 divided by  
255 annual resident service days, except for any facility with an interim  
256 rate below one hundred ninety-five dollars per day for the period  
257 ending June 30, 2005, the interim replacement rate for the period  
258 ending June 30, 2006, shall not be greater than two hundred seventeen  
259 dollars and forty-three cents per day and for any facility with an  
260 interim rate equal to or greater than one hundred ninety-five dollars  
261 per day for the period ending June 30, 2005, the interim replacement  
262 rate for the period ending June 30, 2006, shall not exceed the rate in  
263 effect for the period ending June 30, 2005, increased by eleven and one-  
264 half per cent. Such July 1, 2005, rate adjustments shall remain in effect  
265 unless (i) the federal financial participation matching funds associated  
266 with the rate increase are no longer available; or (ii) the user fee  
267 created pursuant to section 17b-320 is not in effect. For the fiscal year  
268 ending June 30, 2007, each facility shall receive a rate that is three per  
269 cent greater than the rate in effect for the period ending June 30, 2006,  
270 except any facility that would have been issued a lower rate effective  
271 July 1, 2006, than for the rate period ending June 30, 2006, due to  
272 interim rate status or agreement with the department, shall be issued  
273 such lower rate effective July 1, 2006. For the fiscal year ending June  
274 30, 2008, each facility shall receive a rate that is two and nine-tenths  
275 per cent greater than the rate in effect for the period ending June 30,  
276 2007, except any facility that would have been issued a lower rate  
277 effective July 1, 2007, than for the rate period ending June 30, 2007, due  
278 to interim rate status or agreement with the department, shall be  
279 issued such lower rate effective July 1, 2007. For the fiscal year ending  
280 June 30, 2009, rates in effect for the period ending June 30, 2008, shall  
281 remain in effect until June 30, 2009, except any facility that would have  
282 been issued a lower rate for the fiscal year ending June 30, 2009, due to  
283 interim rate status or agreement with the department shall be issued  
284 such lower rate. The Commissioner of Social Services shall add fair  
285 rent increases and may add movable equipment increases to any other  
286 rate increases established pursuant to this subdivision for a facility  
287 which has undergone a material change in circumstances related to fair  
288 rent or movable equipment. Interim rates may take into account

289 reasonable costs incurred by a facility, including wages and benefits."